

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

HUBERT DUPIGNY,

Defendant.

18-CR-528 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Sentencing in this case is scheduled for May 13, 2020, at 3:30 p.m. Upon reflection, the Court concludes that there may be a need for a *Fatico* hearing — for instance, with respect to disputed conduct as to which the Government did not present evidence at trial. *See, e.g.*, ECF No. 197, at 10-12 (moving to preclude evidence of an alleged rape of Victim 2); October 23, 2019 Tr. 24-25 (granting the motion). The Government shall confer with defense counsel and, no later than **March 13, 2020**, file a letter indicating the parties' views on whether a hearing is necessary or appropriate and, if so, why and the estimated length of a hearing.

SO ORDERED.

Dated: February 26, 2020  
New York, New York



JESSE M. FURMAN  
United States District Judge